

**Equal Employment Opportunity and  
Affirmative Action Professional  
Procedure Manual**

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***Attachment #1 AA Roles and Responsibilities***

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***Attachment #7 AA Plan Template***

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***Attachments also available in WORD/EXCEL format on the Department of Administration (DOA),  
Division of Personnel Management (DPM), Bureau of Affirmative Action (BAA) website.***

## I Introduction

The purpose of this chapter is to provide standards for the Equal Employment Opportunity (EEO) and Affirmative Action (AA) programs within Wisconsin state government agencies. This document outlines the roles and responsibilities for EEO/AA and will help agencies build, produce, implement and manage their EEO program certification requirements, and AA Plan.

To achieve the goals of EEO, Wisconsin state government is committed to providing a workforce that reflects the population it serves. Employment discrimination is prohibited based on, but not limited to race, ethnicity, color, national origin, ancestry, gender, age, disability, religion, creed, marital status, sexual orientation, political affiliation, membership in the armed forces. Wisconsin state government ensures equal opportunity in its merit based recruitment and selection system by taking affirmative action in cases where the state workforce has been historically underutilized for specific target groups.

## II Statutory and Rule Authority

Wisconsin Administrative Code Chapter ER 43, Affirmative Action and Equal Opportunity, s. 111.31(1) Wis. Stats., and parts of Wis. Stats. 230 direct action items for the administrator of the Division of Personnel Management (DPM) in the Department of Administration (DOA) regarding EEO/AA. DPM complies with these directives by requiring information, reports, AA plans and EEO certification from agencies. For more information on EEO/AA policies, please see Chapter 800 - Equal Employment Opportunity (EEO) Programs and Affirmative Action (AA) Planning Standards, of the *Wisconsin Human Resources Handbook*.

## III Definitions

**Administrator** means the administrator of the division of personnel management in the department of administration.

**Adverse Impact** means an employment policy, practice, or procedure has adverse impact if it results in the disqualification of affirmative action group members at a significantly greater rate than members of other groups. The enforcement agencies will generally regard a selection rate for any group which is less than four-fifths (4/5) or 80% of the rate for other groups as constituting evidence of adverse impact.

**Affirmative action** means specific actions in employment which are designed and taken for the purposes of all of the following:

- (a) Ensuring equal opportunities.
- (b) Eliminating a substantial disparity between the proportion of members of racial and ethnic, gender or disabled groups either in job groups within the classified civil service, or in similar functional groups in the unclassified service, and the proportion of members of racial and ethnic, gender or disabled groups in the relevant labor pool.
- (c) Eliminating present effects of past discrimination.

s. 230.03(2), Wis. Stats.

**Affirmative action group** means one or more of the following:

- (a) Racial or ethnic groups.
- (b) Gender groups.
- (c) Disability groups.
- (d) Veteran groups.

**Affirmative Action Officer** means the staff person designated by the appointing authority to advise and assist in establishing programs to ensure appropriate equal employment opportunity and affirmative action in each agency.

**Affirmative action program** means specific results oriented standards, procedures and initiatives designed to ensure equal employment opportunity and to eliminate present effects of past discrimination. s. ER 43.02(2m), Wis. Adm. Code

**Agency** means... "[A]ny board, commission, committee, council, or department in state government or a unit thereof created by the constitution or statutes if such board, commission, committee, council, department, unit, or the head thereof, is authorized to appoint subordinate staff by the constitution or statute, except a legislative or judicial board, commission, committee, council, department, or unit .....". s. 230.03(3), Wis. Stats.

**Appointing authority** means the chief administrative officer of an agency unless another person is authorized to appoint subordinate staff in the agency by the constitution or statutes. s. 230.03(4), Wis. Stats.

**Client** means any individual or organization receiving services or financial assistance from an agency. s. ER 43.02(4), Wis. Adm. Code

**Director** means the director of the bureau of merit, recruitment and selection in the division.

**Disability groups** means one or more of the following:

(a) Individual with a disability means:

1. Have a physical or mental impairment which makes achievement unusually difficult or limits the capacity to work;
2. Have a record of such an impairment; or
3. Are perceived as having such an impairment.

(b) Individual with a severe disability means an employee in the classified service with a chronic disability if the chronic disability meets all of the following conditions:

1. It is attributable to a mental or physical impairment or combination of mental and physical impairments.
2. It is likely to continue indefinitely.
3. It results in substantial functional limitations in one or more of the following areas of major life activity: self-care; receptive and expressive language; learning; mobility; capacity for independent living; and economic self-sufficiency.

(c) Disabled Veteran means a veteran who has a service-connected disability.

**Division** means the division of personnel management in the department of administration. s. 230.03(2), Wis. Stats.

**Employee or state employee** means an employee of an agency, to include permanent, project, limited term and interns.

**Equal opportunity** means the absence of discrimination in employment or in provision of services to clients. s. ER 43.02(5), Wis. Adm. Code

**Gender group**, when used in connection with affirmative action under this chapter means females. This does not include groups discriminated against because of sexual orientation, as defined in s. 111.32 (13m).

**Job group** means a set of classifications combined by the office on the basis of similarity in responsibility, pay range and nature of work. s. 230.03(10r) Wis. Stats.

**Racial or Ethnic Groups** means American Indians or Alaskan Natives, Asians or Pacific Islanders, African Americans or Blacks, Hispanics or Latinos, Whites, and two or more races, defined as follows:

- (a) “American Indians or Alaskan Natives (Not Hispanic or Latino)” means, persons having origins in any of the original peoples of North or South America (including Central America), and who maintain tribal affiliation or community attachment.
- (b) “Asians or Pacific Islanders (Not Hispanic or Latino)” means, persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.
- (c) “African Americans or Black (Not Hispanic or Latino)” means, persons having origins in any of the black racial groups of Africa.
- (d) “Hispanics or Latinos” means, persons of Mexican, Puerto Rican, Cuban, or Central American or other Spanish culture or origin, regardless of race.
- (e) “White (Not Hispanic or Latino)” means, persons having origins in any of the original peoples of Europe, the Middle East or North Africa.

**Sexual orientation** means having a preference for heterosexuality, homosexuality or bisexuality, having a history of such a preference or being identified with such a preference. s. 111.32(13m), Wis. Stats.

**Underutilization:** Occurs when the percentage of racial/ethnic minorities or women in a job group is below the availability of those groups in the relevant labor pool.

**Veteran** means any of the following:

- (a) A person who served on active duty under honorable conditions in the U.S. armed forces and who was entitled to receive any of the following:
  - 1. The armed forces expeditionary medal established by executive order 10877 on December 4, 1961.
  - 2. The Vietnam service medal established by executive order 11231 on Jul 8, 1965.
  - 3. The navy expeditionary medal.
  - 4. The marine corps expeditionary medal.
- (b) A person who served on active duty under honorable conditions in the U.S. armed forces in a crisis zone, as defined in s. 45.01(11), Wis. Stats.
- (c) A person who served on active duty under honorable conditions in the U.S. armed forces for at least one day during a war period, as defined in s. 45.01 (13), Wis. Stats., or under section 1 of executive order 10957 dated August 10, 1961.
- (d) A person who served on active duty under honorable conditions in the U.S. armed forces for 2 continuous years or more or the full period of the person’s initial service obligation, whichever is less. A person discharged from the U.S. armed forces for reasons of hardship or a service-connected disability or a person released due to a reduction in the U.S. armed forces prior to the completion of the required period of service shall also be considered a “veteran” regardless of the actual time served.

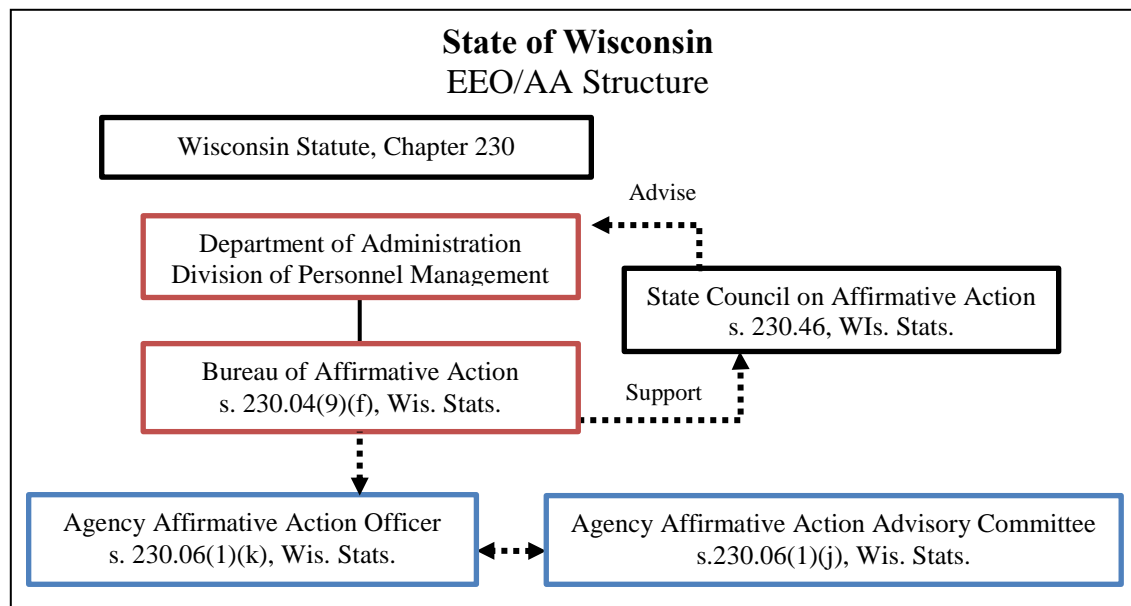
## **IV Underutilization**

To ensure fairness and equal employment opportunity in the state civil service, state statutes require a workforce analyses to assess if affirmative action groups are equitably represented in the state civil service. When the workforce in the state civil service is statistically significantly lower than the available labor market for women, racial/ethnic minorities and/or people with disabilities, this is referred to as underutilization. When underutilization occurs, affirmative action is a tool used to address disparities.

Underutilization is determined by using a statistical methodology comparing the composition of the current workforce with the relevant labor market pool for the affirmative action groups for each job group. Wisconsin state civil service incorporates utilization analyses for each job group by examining statewide and regional data for each agency. A job group is formed by a cluster of classifications. These classifications are combined together logically as a group by factors such as similar functions, duties, responsibilities, knowledge, training requirements, pay range, promotional opportunities and nature of work. The relevant labor market pool is an estimate of the percentage of affirmative action groups having the requisite skills, experience and training in the geographical area from which recruitment of applicants could be reasonably expected. The factors affecting the relevant labor market pool include college graduates, census, and applicant data. Each job group may have a different labor market pool. For a regional job group, applicants tend to come from a local geographical recruitment area. For a statewide job group, applicants tend to come from all parts of the state as well as the nation.

## V EEO/AA Structure

The EEO/AA structure in the Wisconsin civil service is governed by Wisconsin Statute Chapter 230, which places the authority and responsibility to the DOA Division of Personnel Management (DOA DPM) to establish and promulgate personnel rules, standards and procedures to ensure EEO/AA throughout the state civil service system. The Bureau of Affirmative Action (BAA) was created to advise and assist the DOA DPM Administrator to ensure EEO/AA in the system. With the assistance of the Affirmative Action Officer and the Affirmative Action Advisory Committee in each respective agency, the appointing authority for each agency is also responsible for achieving and supporting the state EEO/AA mission. The State Council of Affirmative Action (SCAA) provides another channel for citizen input to assist the DOA DPM Administrator's EEO/AA roles and responsibilities throughout the state civil service.



## VI EEO/AA Programs and Reports

### 1. Overview of Affirmative Action Programs

Affirmative Action programs are recruitment and hiring efforts which assist agency workforces to mirror the overall labor pool of qualified candidates from which it draws its applicants. These recruitment and hiring efforts target qualified members of the labor pool who have historically been discriminated against because of race, gender, veteran or disability status. There is a growing recognition that a diverse workforce is good business, and adds a variety of backgrounds, ideas

and viewpoints which increase the overall quality of work performed. A diverse, representative workforce in state government should be reflective of the people it serves.

**Expanded Certification Program** – Expanded certification is a statewide affirmative action program used to address the issues of workforce underutilization. It ensures equal employment opportunity for racial/ethnic minorities, women, veterans and persons with disabilities when they are substantially underutilized in the state workforce. The expanded certification program allows the Division of Personnel Management, Bureau of Merit Recruitment and Selection (BMRS) to include names of qualified women or racial/ethnic minorities, veterans, certain spouses of veterans and persons with a disability to the certified list when appropriate. (See Chapter 212 – Certification Procedures, of the *Wisconsin Human Resources Handbook*.)

**Noncompetitive appointment for certain disabled veterans** - Qualified veterans with a 30% or more service-connected disability are eligible for non-competitive appointment to permanent positions in classified civil service under s. 230.275, Wis. Stats.

**Enterprise Recruitment Program** – This program was established to help create a diverse, highly qualified group of affirmative action targeted applicants (racial/ethnic minorities, women, veterans and persons with disabilities) for all positions.

**Summer Affirmative Action Internship Program (SAAIP)** – Summer Affirmative Action Internship Program places well qualified, diverse students in intern positions within state agencies. SAAIP assists state agencies in promoting equal employment opportunity by providing them with a pool of racial/ethnic minorities, women, veterans and students with disabilities. The program provides students with practical, on-the-job experience, training, and exposure to employment with the State of Wisconsin. BAA conducts targeted recruitment, coordinates the referral process, provides technical assistance, and sponsors the SAAIP Employment Seminar for student participants.

**Underutilization Analysis** – Underutilization analysis is fundamental in affirmative action planning for Wisconsin state government. A finding of underutilization is considered evidence of an imbalance in the racial/ethnic and/or gender composition of employees in a particular job category. Underutilization is determined by comparing the percentage of racial/ethnic minorities and women in a job group with the percentage of those groups in the relevant labor pool. If the percentage of racial/ethnic minorities or women is substantially lower than their percentage in the relevant labor pool (less than 80%), the job group is underutilized for racial/ethnic minorities and/or women.

**Wisconsin Works (W-2) Program** – Each agency with more than 100 authorized permanent full-time equivalent positions must prepare and implement an annual plan of action to employ persons who, at the time of certification receive aid or benefits from the state. BAA monitors and reports on progress made in this area.

## **2. Overview of Equal Employment Opportunity Programs**

Wisconsin state government provides equal employment opportunities by ensuring that all employment actions are based on the ability of an individual to perform the duties and responsibilities of the position. Equal opportunity ensures compliance with nondiscrimination laws.

**Affirmative Action Officers (AAOs) Executive Committee** – The Executive Committee represents the interests of all state agency AA Officers by providing advice and guidance to BAA with respect to matters involving affirmative action, equal employment opportunity and workforce diversity programs and services. The Executive Committee advocates for the adoption of policies, management practices, and programs that encourage and support the active recruitment and retention of racial/ethnic minorities, women, veterans and persons with disabilities.

**EEO/AA Planning** – All state agencies with 30 or more permanent classified employees are required to prepare Affirmative Action Plans. The plans are intended to assist in ensuring equal employment opportunities and eliminating the present effects of past discrimination for racial/ethnic minorities, women, veterans and persons with disabilities in each agency.

**EEO/AA Program Certification** – BAA requires that state agencies meet all the eligibility criteria to attain program certification. These criteria include: appointment of an AA Officer; recruitment and selection process; creation of an AA Advisory Committee; policies on interview panels; harassment; reasonable accommodations; internal discrimination and harassment complaint procedures; self-identify survey; the posting of the EEO/AA policy statement and W-2 plans.

**Monitoring State Agencies** – BAA monitors and evaluates each agency's progress toward affirmative action and equal opportunity goals and objectives in implementing the certification standards and their AA Plans. During the monitoring process, BAA provides specific recommendations regarding methods through which the respective agencies may improve their efforts in providing equal opportunity to employees and applicants for employment, s. 230.04(9)(c) Wis. Stats. and ch. ER 43.05, Wis. Adm. Code. The following areas are part of BAA's monitoring:

- Recruitment process
- Policies and procedures
- Diversity training
- Wisconsin Works (W-2) hiring plan
- Employee orientation
- Retention

**State Council on Affirmative Action** – The State Council on Affirmative Action (SCAA), which includes individuals appointed by the Governor and legislative leaders, advises the administrator of DOA Division of Personnel Management on state affirmative action efforts. The Council evaluates the progress of affirmative action programs throughout the civil service system, seeks compliance with state and federal regulations and recommends improvements in state affirmative action efforts as an employer. Council membership is representative of the state population. The Council holds an annual Diversity Award program to recognize best affirmative action practices among state agencies and University of Wisconsin campuses. BAA provides support to the Council.

**Statewide Employment Equity Training (SWEET)** – SWEET courses are a customized one hour EEO/AA training program provided by BAA upon request by a state agency. SWEET courses include "Essentials of an Effective AA Advisory Committee," "Reasonable Accommodations" and "Unconscious Bias".

**New Supervisory Training** – Provided jointly by the three bureaus in the Division of Personnel Management (BAA/BMRS/BCLR), the supervisory training program is basic management/personnel administration training designed for new supervisors to meet the statutory training requirement. The EEO/AA training portion highlights the EEO/AA roles and responsibilities of supervisors. In addition the training covers basic EEO/AA concepts that are instrumental for supervisors such as EEO/AA laws, EEO/AA policies and procedures for the hiring process, and information concerning harassment and reasonable accommodations for persons with disabilities. This program is provided to state agencies except for the five largest agencies which conduct their own new supervisor training.

### **3. Overview of EEO/AA Reports**

BAA prepares the following reports as required by federal and state statutes. Reports can be found on the DOA Division of Personnel Management website.



**Classified Workforce & Affirmative Action Report** – This report documents demographic statistics of the permanent classified workforce, personnel transactions including hires, retirements and other separations from state service, and the demographics and workforce planning outlook on an agency-by-agency basis.

**EEO-4 Report** – BAA reports biennially to the federal EEOC on the Wisconsin state workforce. The report is used by federal government agencies with responsibilities related to equal employment opportunity. The report contains race/ethnicity and gender data, occupational data, annual salary, new hires data, and data on employees who worked less than full-time.

**State Council on Affirmative Action Report** – This annual report summarizes the Council's activities and accomplishments which include the Council's observations and recommendations to improve the effectiveness and advancement of affirmative action, equal opportunity, and diversity in state government. In addition, the report highlights the annual Diversity Awards which recognizes agencies and universities with outstanding initiatives and best practices in affirmative action and diversity.

**Veterans Employment Report** – BAA prepares an annual report summarizing the progress being made to provide employment opportunities for veterans. The report includes statistics on the percentage of new hires and the number of incumbent employees who are veterans, disabled veterans and certain spouses of veterans for all state agencies.

**Wisconsin Works (W-2) Report** - The W-2 Report summarizes the W-2 hiring data by state agency and by classification title. The data in this report is extracted from the state employment application system, Wisc.Jobs.

**Written Hiring Reasons Report** – BAA prepares an annual report summarizing, for each agency, the appointing authority's reasons for selecting the persons who were appointed for new hires, promotions, and project appointments. The report summarizes the bases for the hiring decisions and includes the number of total hires who were veterans, persons with disabilities, racial/ethnic minorities, and women in classified and project appointments.

## **VII AA Roles and Responsibilities**

Wisconsin state statutes require each level of authority, to play his/her roles and responsibilities accordingly to achieve EEO/AA in each state agency. For statutory compliance, agencies must meet the EEO/AA standard established by the Division of Personnel Management (DPM), and develop and implement relevant policies and procedures, with a designated Affirmative Action Officer (AAO) and the Affirmative Action Advisory Committee (AAAC) advising the appointing authority on EEO/AA issues and concerns.

Listed below are the roles and responsibilities of those who oversee and implement EEO/AA for Wisconsin state government:

### **DOA Division of Personnel Management Administrator**

The administrator has the ultimate responsibility to oversee EEO/AA and promulgate appropriate rules, policy procedures and principles to ensure EEO/AA throughout the Wisconsin state government merit civil service system. The administrator:

- Establishes the standards for agencies' EEO/AA policies, procedures and plans.
- Monitors, evaluates, makes recommendations and provides technical assistance for improvements in agencies' EEO/AA policies and procedures.
- Issues enforceable orders relating to the administration of EEO/AA rules.
- Provides the Governor and the Legislature with annual summaries of agencies' EEO/AA information.

- Establishes an affirmative action subunit to advise and assist him/her, agency heads and administrators with EEO/AA policies, programs and procedures.

### **Bureau of Affirmative Action**

The Bureau of Affirmative Action is the central affirmative action office for Wisconsin state government. Its responsibilities include:

- Developing policies and procedures governing the state's Equal Employment Opportunities/Affirmative Action (EEO/AA) program;
- Recommending new or revised legislation in support of a viable state EEO/AA program;
- Establishing standards for agency EEO/AA plans;
- Reviewing, approving and monitoring of state agency EEO/AA programs;
- Providing technical assistance to agencies in developing innovative personnel programs to increase the effectiveness of the state's EEO/AA program; and
- Analyzing state workforce data for use in developing EEO/AA reports and recommendations.

### **Appointing Authority at Agency**

The appointing authority carries the overall responsibility for equal employment opportunity and affirmative action at his/her agency. Each state agency is required to establish basic EEO/AA policies, and implement and monitor them to ensure equal opportunity to applicants, employees and customers at the agency. The appointing authority:

- Prepares an agency's affirmative action plan.
- Ensures that his or her agency complies with its affirmative action plan.
- Explores and implements innovative personnel policies to ensure affirmative action.
- Creates an affirmative action advisory committee which shall advise him/her concerning programs designed to ensure equal opportunity to all employees, applicants for employment and clients of the agency (50 or more employees).
- Designates an affirmative action officer reporting directly to the appointing authority to advise and assist him/her in establishing programs to ensure appropriate affirmative action.
- Provides information about the employment of employees with disabilities at the request of the administrator.

### **Affirmative Action Officer**

The Affirmative Action Officer (AAO) or designee as delegated by the AAO is crucial in implementing and ensuring the success of all equal employment opportunity/affirmative action (EEO/AA) programs, policies and procedures. The roles and responsibilities of AA Officers are derived from Wisconsin Statute Chapter 230, Administrative Rule ER 43, and rules and guidelines established by the DPM Bureau of Affirmative Action. In accordance with these statutes, rules and guidelines, AA Officers must do the following (**Attachment #1, AA Roles and Responsibilities**):

- Advise and assist the appointing authority in establishing programs to ensure appropriate affirmative action. Ensure development and implementation of all personnel policies, programs and procedures adhere to the EEO/AA principles, and monitor them accordingly for state compliance.
- Understand the state and federal laws and their requirements for upholding equal employment opportunity and affirmative action in an agency.
- Ensure agency recruitment and selection process steps are followed.
- Review and approve all interview questions and benchmarks, if not previously approved.
- Promote the agency's participation in the Summer Affirmative Action Internship Program (SAAIP).
- Encourage agency participation in EEO/AA programs such as the annual diversity award, the non-competitive appointment for certain disabled veterans program and participation in the Division of Vocational Rehabilitation job program.
- Investigate employee discrimination complaints fairly and promptly.

- Make sure that EEO/AA policies, programs and procedures are implemented and communicated with all employees in your agency.
- Attend at least 12 hours of EEO/AA/Diversity training annually.
- All appointed AA Officers in a nonsupervisory role must attend an internal agency supervisory training program or audit the DPM Supervisory Training within a year from appointment. All supervisors in classified service are statutorily required to successfully complete a supervisory development program.
- Develop and/or coordinate agency wide EEO/AA training for all employees, including supervisors and managers on a regular basis.
- Conduct a review of the affirmative action plan on a regular basis, and make adjustments to the timeline and action items if necessary.
- Periodically advise and report to the agency head, and periodically address managers and supervisors on all matters related to EEO/AA and diversity.
- Develop, maintain and monitor EEO certification program to remain at the certified level at all times.
- Assist and participate with the agency's affirmative action advisory committee (if applicable).
- Work closely with all AAO approved designees; and oversee the quality of their work in delivering EEO/AA services. Ensure the designees receive at least six hours of task specific training e.g. accommodations, complaints, FMLA, AA, EEO, diversity etc. (if applicable).
- Work closely with BAA to seek consultation and technical assistance when necessary to perform EEO/AA roles and responsibilities.
- Work closely with supervisors and human resource directors, whenever there is a management consideration of discipline or termination of racial/ethnic minorities, women, veterans and persons with disabilities.
- Review proposed agency layoffs and advise management of any concerns related to adverse impact.
- Develop, implement and document an agency fiscal year W-2 plan (if applicable).

### **Affirmative Action Advisory Committee**

The Affirmative Action Advisory Committee provides advice and direction to the appointing authority on department EEO/AA programs and goals; to identify problems and barriers to affirmative action target groups in recruitment, selection, and retention; identify EEO/AA training needs of department managers and supervisors; and heighten the awareness of EEO/AA issues throughout the department.

### **State Council on Affirmative Action**

The Council is appointed by the Governor and legislative leaders. Their overall purpose is to foster measurable progress towards an equitable and diverse work force in state government.

- Advise the administrator.
- Evaluate the progress of affirmative action programs throughout the civil service system.
- Seek compliance with state and federal regulations.
- Recommend improvements in the state's affirmative action efforts as an employer.
- Report at least once per year to the governor and the legislature.

For more details about the roles and responsibilities of the administrator, bureau of affirmative action, and appointing authorities, see the following statutes: s. 230.04 (9), Wis. Stats., ch. ER 43, Wis. Adm. Code; and s. 230.06 (1) (g) to (L), Wis. Stats.

## **VIII EEO Program Certification**

In order to achieve statewide consistency in equal employment opportunity (EEO) programs, all Wisconsin state agencies must meet seven eligibility criteria to attain EEO Program Certification.

All agencies attained EEO Program Certification in 2014. Agencies received an EEO Program Certification certificate and approval letter.

**EEO Program Certification criteria:**

- Develop EEO policies
- Appoint an Affirmative Action Officer (AAO)
- Implement recruitment and selection process requirements
- Establish an Affirmative Action Advisory Committee (AAAC)
- Conduct a disability survey
- Disseminate EEO/AA policies and procedures
- Develop and implement a W-2 plan

It is the agency's responsibility to remain at the certified level at all times. EEO Program Certification requirements are verified during agency monitoring visits conducted by BAA.  
**(Attachment #2, EEO Program Checklist)**

**1. EEO Policy Requirements**

Equal employment opportunity (EEO) policies exist nationally to ensure equal access and equal treatment for every applicant and employee throughout all agency employment practices such as the following: position description development; recruitment; assessment; selection; salary and wages; merit; training; transfer; promotion; reclassification; leave; acting on temporary assignment; disciplinary action; layoff; restoration; reinstatement; retention; etc.

EEO policies are established according to federal and state laws to prohibit discrimination and unequal treatment against any applicant or employee based on, but not limited to the following: the person's race, ethnicity, color, national origin, ancestry, gender, age, disability, religion, creed, marital status, sexual orientation, political affiliation, and membership in the armed forces.

**EEO/AA Policy Statement**

This statement is an overview of the various EEO/AA policies followed by a particular agency. The statement covers the agency's commitment to providing equal opportunity for all persons, and it summarizes the efforts taken to address any EEO violations. An agency's policy statement on equal employment opportunity and affirmative action must include language containing the following elements:

- A commitment to equal employment opportunity for all persons, regardless of race, creed, ancestry, religion, color, gender, national origin, age, disability, arrest or conviction record, marital status, political affiliation, sexual orientation or membership in the armed forces.
- Affirmative action efforts for racial/ethnic minorities, women, veterans and persons with disabilities will be undertaken to ensure equal opportunity and to overcome the present effects of past discrimination.
- Equal employment opportunity/affirmative action principles will affect all employment practices including, but not limited to the following: recruiting, interviewing, hiring, transfers, promotions, training, compensation, benefits, layoffs, terminations, retention, certification, and evaluations.
- Procedures are available to handle complaints alleging discrimination and/or harassment. The policy statement must give information regarding where these procedures are published, and must identify the contact person.
- Reasonable accommodations for persons with disabilities are provided to ensure equal access to employment and all benefits associated with employment.
- The current agency head must sign the EEO/AA Policy Statement. Whenever the head of the agency changes or there is a change in the content of the policy this statement must be signed and reissued.

### **Diverse Interview Panel Policy**

The purpose of this policy is to notify agency hiring units to incorporate a diverse perspective when evaluating job candidates. It covers the type of employees who should serve on a diverse panel, training requirements and outlines the AA Officer's responsibilities in overseeing the process. All interview panel members must complete the DPM Interview Panel training (or approved agency equivalent) on an annual basis.

### **Reasonable Accommodation Policy and Procedures**

This policy outlines the steps needed to provide an accommodation to an employee with a disability or in need of a religious accommodation. It provides the definitions of the following: reasonable accommodation; disability; and undue hardship. It also discusses the decision making process when handling a reasonable accommodation request.

### **Harassment Policy**

This policy defines the various forms of harassment and reiterates an agency's resolve to prevent it. It must contain language stating that the agency prohibits all forms of harassment. This policy may be combined with the internal discrimination and harassment complaint procedures.

### **Internal Discrimination and Harassment Complaints Procedures**

This policy outlines the procedures agency employees will follow when they feel they have experienced discrimination or harassment. It identifies the contact person who oversees the handling of complaints. Retaliation against an employee who files a discrimination complaint is also a form of discrimination which is against the law and will not be tolerated by the agency. This policy may be combined with the harassment policy.

**Samples of each policy are available on the DOA DPM website. Note:** These samples are intended as guides for agencies in developing their own policies, and should be modified as needed to meet your own agency's specific policies and structures. These samples are not legal advice. If legal advice is required, contact your agency's legal counsel.

**Required Documentation:** Agency will provide updated EEO/AA policies at the time of monitoring visit.

## **2. AAO Appointment**

*Section 230.06(1)(k), Wis. Stats., states, "An appointing authority shall designate an affirmative action officer reporting directly to the appointing authority. The affirmative action officer shall advise and assist the appointing authority in establishing programs to ensure appropriate affirmative action."*

The AAO is the person designated with the responsibility of directing affirmative action, equal opportunity or diversity initiatives within an agency and must report directly to the Appointing Authority (agency head or designee) for EEO/AA purposes. The appointing authority or designee cannot be the agency's AAO.

Reporting to the appointing authority does not necessarily require that the AAO receives day to day supervision from the appointing authority. The AAO may be supervised by other management staff for administrative purposes.

**Required Documentation:** A letter signed by the head of the agency or designee, which identifies the AAO and states that the AAO reports directly to him/her for EEO/AA purposes. When a new AAO is designated a new signed letter must be sent to BAA.

### 3. Recruitment and Selection Process

DPM established an enterprise recruitment program and selection process operating from a premise of inclusion and treating every position as underutilized for recruitment purposes for racial/ethnic minorities, women, veterans and persons with a disability.

The following tools are incorporated within the recruitment and selection process to emphasize EEO and AA (**Attachment #3, Recruitment Checklist**):

- Enterprise Recruitment Program
- Agency specific recruitment
- HR informs AAO of open recruitment and strategies
- AAO approval of interview questions and criteria
- Panel members receive confirmation
- Diverse interview panel members
- Interview panel training
- Hiring decision reason

**Enterprise Recruitment Program:** General AA outreach is done at DPM. A single email will go out to EEO/AA partners rather than each agency sending an email. DPM will develop and distribute standardized materials for enterprise recruitment purposes.

**Agency specific recruitment:** Agencies participate by following the objectives and standards established by the enterprise recruitment program. Agencies will use recruitment and outreach materials specific to the open position. Agencies will continue to conduct position specific recruitment.

**HR informs AAO of open recruitment and strategies:** All positions are treated as underutilized for the purpose of recruiting. BAA will establish the methods and strategy to ensure vacancy opportunities are shared in the most broad and inclusive manner. Agencies will establish an internal process to ensure AA is involved in the recruitment strategy at the agency level. The process might include quarterly meetings between AA and HR, regular review of recruitment efforts by AA, or in the event the agency has HR staff provide AA support additional outreach to BAA.

**AA Officer approves interview questions and benchmarks:** HR will send the AA Officer all interview questions and benchmarks for approval, unless the questions and benchmarks were previously approved. AA Officer will review the questions and benchmarks to ensure they are not discriminatory in nature. This includes, but not limited to, ensuring the question is job related, as indicated in the job analysis, not worded to imply that applicant must be currently working (“In your current position.....”), not so specific that the person would already have to be working in the position, does not include acronyms (even if in the job announcement) and avoid asking for multiple answers in the same question, etc.

**Panel members receive confirmation:** HR will send each panel member confirmation to include language on confidentiality and fair and unbiased assessment practices.

**Diverse interview panel members:** Interview panels must have at least two members, preferably three, and be diversely composed with one person representing an affirmative action group, i.e. racial/ethnic minorities, women, veteran, or persons with disabilities. One person may conduct a phone interview.

**Interview panel training:** All interview panel members must complete the DPM Interview Panel Training (or agency approved alternative) before they can serve as an interview panel member. The interview panel training must be retaken annually.

**Hiring decision reason:** Agencies must document the hiring reason decision for all new permanent hires, promotions and new hires in project positions in Wisc.Jobs. Agencies must use the following BAA established hiring reason decision choices:

- A. Selected person served in this position or a similar position previously.
- B. Selected person has more advanced education and/or training for this position.
- C. Selected person has broader or more relevant experience performing the duties of this position.
- D. Selected person demonstrates greater knowledge of the key tasks required in this position.

**Written hiring justification:** It is highly recommended that hiring managers submit to HR a written hiring justification for all positions prior to job offer. The written hiring justification should provide a detailed job related justification for recommending the selected candidate over the other applicants, e.g., number of years in profession, years of experience, past relevant experience, etc.

**Required Documentation:** A process that includes all steps identified on the DPM recruitment checklist used for every position. BAA will review six recruitment files or other documentation from the agency to determine compliance with recruitment and selection process requirements.

#### **4. Establish an Affirmative Action Advisory Committee (AAAC) (50 or more permanent employees)**

Section 230.06(1)(j), Wis. Stats. states, “An appointing authority shall, if his or her agency employs 50 or more employees, create an affirmative action advisory committee which shall advise the appointing authority concerning programs designed to ensure equal opportunity to all employees, applicants for employment and clients of the agency.”

This committee will have an organized structure, meet on a regular basis and advise the appointing authority on equal employment opportunity and affirmative action issues impacting the agency. This committee will be advised by the AAO, who will serve as a non-voting member. The committee should strive to have its membership reflect a cross section of its agency, such as: entry and mid-level staff; section chiefs; supervisors; bureau directors; people of different genders; people with disabilities; various ethnicities; various generations; etc. The size of the committee can vary between 5 and 25 people. (**Attachment #4, Sample AAAC ByLaws**)

**Required Documentation:** A copy of the most recent Affirmative Action Advisory Committee meeting agenda, minutes, current roster, and Bylaws.

#### **5. Disability Status Survey**

Agencies have the responsibility to provide new and existing employees with the opportunity to self-identify as a person with a disability and to provide reasonable changes or accommodations within their work place. Information collected must be entered into the STAR information system.

At least every two years agencies will conduct a self-identification survey provided to all employees. Employee participation in the survey is voluntary. All information provided by employees must be kept confidential. A copy of the survey is included in this chapter. (**Attachment #5, Disability Survey**)

Please note that if an agency creates a survey for its own use, the first two questions from the sample in *Attachment #4* are essential for data entry into the STAR information system.

After a survey is completed, an agency AAO or EEO/AA team member must review the data to ensure that any accommodation needs of employees with disabilities are addressed.

When entering disability status into the STAR information system the following is the standard:

**Disability:** The impairment makes achievement unusually difficult or limits the capacity to work or there is a record of an impairment or the person is perceived as having an impairment (Choice 2A in survey).

**Severe Disability:** The impairment results in substantial functional limitations in one or more of the following areas of major life activities: self-care; receptive and expressive language, learning, mobility, capacity for independent living, or economic self-sufficiency and the disability continue indefinitely (Choice 2B in survey).

**Required Documentation:** A copy of the most recent self-identification survey, the dates of the last two surveys conducted and the projected date of the next survey.

## **6. Dissemination of EEO Policies/Procedures**

In order to ensure equal access to information, all EEO/AA policies and procedures must be readily available to all employees. The agency must post the EEO/AA Policy Statement wherever and however necessary to provide employees notice of the policies and procedures and include agency AAO contact information. All EEO/AA policies and procedures must be accessible on the agency's intranet, internet and/or shared drive to ensure accessibility by all employees regardless of work location.

**Required Documentation:** Agency's EEO/AA Policy Statement must be posted in an area that is accessible to all employees in the agency. EEO/AA policies and procedures located where accessible to all agency employees.

## **7. Wisconsin Works (W-2) Plan**

*Section 230.147(1), Wis. Stats, reads in part, "Each appointing authority of an agency with more than 100 authorized permanent full-time equivalent positions shall prepare and implement a plan of action to employ persons who, at the time determined in sub. (4), receive aid under s. 49.19 or benefits ....."*

All agencies with more than 100 permanent full-time must develop and implement a plan to hire W-2 participants. Possible W-2 plan actions include; requesting a W-2 cert list, planning a hiring event at a W-2 location, connecting with Worksmart Network, holding a workshop or informational session, or attending a job fair at a W-2 location, etc. See W-2 Plan Worksheet located on the BAA website for more detailed information. BAA will verify compliance during the onsite monitoring visit.

**Required Documentation:** Agency will explain the agency's W-2 plan and how it was implemented.

## **IX Reasonable Accommodation**

Reasonable accommodation is any modification or adjustment to a job, an employment practice, or the work environment that makes it possible for an individual to enjoy an equal employment opportunity.



A reasonable accommodation may include, but is not limited to: modifying written examinations, making facilities accessible, adjusting work schedule, restructuring jobs, providing assistive devices or equipment, providing readers or interpreters, modifying work sites.

### **Agency Staff Roles in Reasonable Accommodation Process**

#### **Employee:**

- Makes reasonable accommodation request to supervisor.
- Works with supervisor and/or agency Reasonable Accommodation specialist.
- Follow the agency's Reasonable Accommodation Policy and Procedures.

#### **Supervisor:**

- Handles the request, may solicit help of agency affirmative action officer, medical coordinator or human resources manager.
- May request medical verification of employee's situation to show how medical issue impairs his/her abilities at work. Before a supervisor, equal opportunity program specialist, affirmative action officer, medical coordinator or any other staff can contact an employee's medical personnel, s/he must receive a signed release statement from the employee allowing the medical contact to be made. (Medical verification is *not* mandatory in order to fulfill an employee's reasonable accommodation request.)
- Follow agency's Reasonable Accommodation Policy and Procedures.

#### **EEO/AAO, Reasonable Accommodation Specialist and/or Medical Coordinator:**

- Facilitate provision of medical equipment or devices to be used for accommodation
- If necessary, assist supervisors and employees in accommodation decision-making processes
- Assist with management of employees' separate, confidential medical files
- Input required data into the STAR information system

### **Policies for Providing Reasonable Accommodations**

- **Engage in Interactive Process.** Make several good faith efforts. Employers are to discuss and try several accommodation options with the employee that will allow him/her to adequately undertake the job-related responsibilities.
- **Explore Alternative Employment Situations.** If an individual who is an employee of an agency acquires a disability, and the agency is not able to make reasonable accommodations which allow the individual to continue in his or her current position, the agency must explore possibilities for placement in other positions within the agency.
- **Reporting.** Agencies will input data required from each reasonable accommodation request into the STAR information system.
- **Monitoring.** Agencies are monitored by the BAA for their provision of reasonable accommodations as part of their overall Equal Employment Opportunity (EEO) program compliance.
- **Equipment Transfers.** When a state agency purchases equipment for an employee as part of a reasonable accommodation and the employee later moves to a position in another state agency, agency representatives should come to a mutual agreement regarding the transfer of the equipment. In most cases the special equipment purchased should transfer with the employee.

If funds appropriated under s. 20.865(1)(fn), (Ln), and (vn), Wis. Stats. represent 50% or more of the cost of purchasing equipment for a reasonable accommodation, the title to such equipment will be held by the Department of Administration (DOA). Equipment purchased under s. 20.865, Wis. Stats. will automatically be transferred with the employee, and if the employee leaves state service,

DOA becomes responsible for holding it for use by other employees with disabilities within state government.

## **X Affirmative Action Plan**

Affirmative Action (AA) plans are the outline of specific, pro-active programs and steps to be taken over a pre-determined period of time to increase the access of historically underrepresented qualified applicants to an agency's workforce. AA Plans rely on agency statistical analysis data using job group labor force availability percentages provided by BAA. AA Plans must also contain specific action steps to address problems that arise in an agency's Equal Employment Opportunity (EEO) program. Typical EEO problem areas include, but are not limited to: racial discrimination; sexual harassment; hostile work environment; retaliation; lack of mobility access for people with disabilities; etc. affirmative action plans cover three-year time periods, and are produced and administered by an agency's equal opportunity program specialist and/or affirmative action officer. Agencies with 30 or more permanent, classified employees will prepare AA Plans. Agencies with less than 30 permanent, classified employees will submit an EEO/AA Commitment Letter. (**Attachment #6, EEO/AA Commitment Letter**).

### **1. Preparation of AA Plan**

Agencies must conduct a self-assessment of their organization, determine any problem areas or deficiencies which exist, and develop programmatic goals and actions steps to address these problem areas or deficiencies. Self-analysis allows agencies to evaluate whether past discrimination and other issues have been corrected, and to track which current employment practices are succeeding.

**Charts and tools** to aid in conducting agency self-assessments are available as follows:

- Job Group/Labor Force availability table = *available on BAA's website*
- Wisc.Jobs Applicant Flow by Job Group = *produced from Wisc.Jobs website*
- Adverse Impact Analysis = *template available on BAA's website*
- Workforce Analysis = *template is available on BAA's website*
- Agency demographic report = *produced from STAR information system*
- Other Agency-Specific Documenting Tool of your choice

**Step 1: Agency EEO/AA Officers must analyze the agency's workforce using at least one chart or tool of their choice from the list above.**

**Step 2: Agency EEO/AA Officers should consult one or more of the following staff groups for data and feedback during the Agency Self-Assessment process:**

- Affirmative Action Advisory Committees (AAACs) = (*example: How's the work climate and morale in your unit?*)
- Human Resources = (*example: AA target group recruitment this year; retention issues; etc.*)
- Training and Employee Development staff = (*example: How many ethnic minority staff, women or people with disabilities have participated this year?*)
- Employee Assistance Program staff = (*example: Staff missing work to care for elders, experiencing retaliation from supervisors?*)
- Supervisors = (*example: Have any harassment/discrimination issues developed in your work units this year?*)
- Managers = (*example: Budgeting issues preventing allocation for improving accessibility for people with disabilities.*)
- Others

**Step 3: Agency EEO/AA Officers should review one or more of the following areas in the Agency Self-Assessment process:**

- Review job groups where underutilization exists and determine what steps can be taken to correct the underutilization.
- Review applicant flow statistics for past job openings. This review may reveal problem areas in recruitment, testing procedures, hiring, etc.
- Review recruitment files which include recruitment activity plans, interview questions, benchmarks and notes, employment justification letters, and a list of exam raters and interviewers.
- Review sources of applicants.
- Review employee development efforts for current employees.
- Review student intern programs such as participation in the Summer Affirmative Action Internship Program (SAAIP), or local agency intern program.
- Review personnel transaction statistics. If racial/ethnic minorities, women, and people with disabilities are receiving a lesser percentage of reclassifications and promotions, or a greater percentage of discharges and layoffs than might be expected from their percentages in the workforce, it might be an indication of problems which need attention.
- Review voluntary separations. If the review indicates a problem of retention of racial/ethnic minorities, women, and people with disabilities, programs to address retention should receive special attention.
- Review discrimination complaints and grievances in your agency over the past few years. Problems here might reveal the need for new or revised policies and procedures or supervisory training program.
- Review all permanent and probationary terminations of racial/ethnic minorities, women, and people with disabilities to the extent necessary to track any disparities.

**Step 4: Provide a short narrative or summary of the findings in your agency's self-assessment.**

**2. Writing the Affirmative Action Plan**

Based on your findings from the agency self-assessment (workforce analysis), you are ready to produce goals and action plans to address problem areas revealed in the analysis. An AA Plan template and self checklist is included in this chapter for reference and guidance purposes when writing and developing the AA Plan. (**See Attachment #7, AA Plan Template and Attachment #8, AA Plan Checklist**):

**1) Narrative Summary**

Provide a summary in narrative form of your workforce analysis findings and their implications for your agency. It is not necessary to include the actual charts and analysis tables in the submission of the AA Plan. However as a best practice, be sure to keep your charts and analysis tables handy for further reference.

**2) Description of Problem(s) to be Addressed**

Describe the underutilization or problem area you intend to address. Consider all barriers to equal opportunity. Use sufficient detail to convey the nature and scope of the problem.

**3) Description of Efforts You Will Use to Address the Problems**

Explain, in general terms, what you will do to address the problem, why you will use this particular effort, and what you expect the result to be. The results should be specific and measureable. They should describe how things will be different after you have acted.

4) Goal(s) to be Achieved

State the goal(s) clearly. Example could be:

- Increase the recruitment of racial/ethnic minorities, women and people with disabilities
- Add a mentoring component to our agency's SAAIP
- Reduce the amount of harassment complaints

5) Action Steps/Responsible Staff or Office/Time Line/Evaluation

List specific activities you will take to achieve your goal(s), and give the timeline (when it will start and when it will end) for each activity. What do you hope will be the outcome of your actions? To evaluate your action program, answer the question, "How will you know if your efforts have been successful?"

6) Internal Communication and Monitoring of AA Plan

Describe how information about your AA Plan will be communicated throughout your agency. Also describe the procedure(s) that will be used to monitor your AA Plan.

7) Your Agency's EEO/AA Policy Statement

8) Signatures of your Appointing Authority and Affirmative Action or Equal Opportunity Officer

9) Date of Submission of Plan to DPM Bureau of Affirmative Action

***A WORD-format sample template is available on DOA DPM's website.***

**3. Internal Communication and Monitoring Of EEO Programs and AA Plan**

**Communication:** In order for the EEO Program and AA Plan to be effective, agency employees need to be aware of their existence and contents. Describe how information about the EEO Program and AA Plan will be disseminated. (Examples: via agency intranet and other social media; new employee orientation seminars; employee training sessions; brown bag lunch sessions; bulletin board display; hard copies available in HR Library and/or AA office; etc.)

**4. Monitoring:** The management of the EEO Program and progress toward achieving the goals of the AA Plan will need to be monitored and tracked. Describe the procedure to be used to monitor both the EEO program and progress toward attainment of AA goals. Include the role of the agency head and other top administrators in the monitoring process.

**XI AA Plan Progress Report**

Annually, agencies must submit an AA Plan progress report to the BAA. This progress report will document progress toward achieving affirmative action goals and addressing problems identified in an agency's workforce analysis. BAA will use this information to compose an annual report for the Governor on the status of Wisconsin's workforce, and to assist its statewide monitoring of agency affirmative action compliance.

## Affirmative Action Officer Roles and Responsibilities

The Affirmative Action Officer (AAO) or designee as delegated by the AAO is crucial in implementing and ensuring the success of all equal employment opportunity/affirmative action (EEO/AA) programs, policies and procedures. The roles and responsibilities of AA Officers are derived from Wisconsin Statute Chapter 230, Administrative Rule ER 43, and rules and guidelines established by the DPM Bureau of Affirmative Action. In accordance with these statutes, rules and guidelines, AA Officers must do the following:

- Advise and assist the appointing authority in establishing programs to ensure appropriate affirmative action. Ensure development and implementation of all personnel policies, programs and procedures adhere to the EEO/AA principles, and monitor them accordingly for state compliance.
- Understand the state and federal laws and their requirements for upholding equal employment opportunity and affirmative action in an agency.
- Ensure agency recruitment and selection process steps are followed.
- Review and approve all interview questions and benchmarks, if not previously approved.
- Promote the agency's participation in the Summer Affirmative Action Internship Program (SAAIP).
- Encourage agency participation in EEO/AA programs such as the annual diversity award, the non-competitive appointment for certain disabled veterans program and participation in the Division of Vocational Rehabilitation job program.
- Investigate employee discrimination complaints fairly and promptly.
- Make sure that EEO/AA policies, programs and procedures are implemented and communicated with all employees in your agency.
- Attend at least 12 hours of EEO/AA/Diversity training annually.
- All appointed AA Officers in a nonsupervisory role must attend an internal agency supervisory training program or audit the DPM Supervisory Training within a year from appointment. All supervisors in classified service are statutorily required to successfully complete a supervisory development program.
- Develop and/or coordinate agency wide EEO/AA training for all employees, including supervisors and managers on a regular basis.
- Conduct a review of the affirmative action plan on a regular basis, and make adjustments to the timeline and action items if necessary.
- Periodically advise and report to the agency head, and periodically address managers and supervisors on all matters related to EEO/AA and diversity.
- Develop, maintain and monitor EEO certification program to remain at the certified level at all times.
- Assist and participate with the agency's affirmative action advisory committee (if applicable).
- Work closely with all AAO approved designees; and oversee the quality of their work in delivering EEO/AA services. Ensure the designees receive at least six hours of task specific training e.g. accommodations, complaints, FMLA, AA, EEO, diversity etc. (if applicable).
- Work closely with BAA to seek consultation and technical assistance when necessary to perform EEO/AA roles and responsibilities.
- Work closely with supervisors and human resource directors, whenever there is a management consideration of discipline or termination of racial/ethnic minorities, women, veterans and persons with disabilities.
- Review proposed agency layoffs and advise management of any concerns related to adverse impact.
- Develop, implement and document an agency fiscal year W-2 plan (if applicable).

## EEO Program Checklist

In order to achieve statewide consistency in equal employment opportunity (EEO) programs, all Wisconsin agencies must meet seven eligibility criteria to attain EEO Program Certification. The EEO/AA Professional Procedure Manual addresses EEO Program Certification requirements. It is the agency's responsibility to remain at the certified level at all times. EEO Program Certification requirements are verified during agency monitoring visits conducted by BAA.

### EEO Policies

Y      N

**Required Documentation:** Agency will provide updated EEO/AA policies at the time of monitoring visit.

Diverse Interview Panel	Y	N
EEO/AA Policy Statement	Y	N
Harassment	Y	N
Internal Complaint Process	Y	N
Reasonable Accommodations	Y	N

**NOTE: Agency may combine policies and procedures in the same document as long as all of the above areas are covered in depth.**

Notes:

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### Affirmative Action Officer (AAO) appointed

Y      N

**Required Documentation:** A letter signed by the head of the agency or designee, which identifies the AAO and states that the AAO reports directly to him/her for EEO/AA purposes. The appointing authority or designee cannot be the AAO. When a new AAO is appointed a new signed letter must be sent to BAA.

Notes:

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### Recruitment and Selection Process

Y      N

**Required Documentation:** A process that includes all steps identified on the DPM recruitment checklist used for every position. BAA will review six recruitment files or other documentation from the agency to determine compliance with recruitment and selection process requirements.

Recruitment plan	Y	N
HR informs AAO of open positions	Y	N
AAO approval of interview questions/criteria	Y	N
Diverse interview panels	Y	N
Interview panel members trained	Y	N
Hiring decision reason documented in system	Y	N

Notes:

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**Affirmative Action Advisory Committee (50 or more permanent employees).** Y      N      NA

**Required Documentation:** A copy of the most recent Affirmative Action Advisory Committee meeting agenda, minutes, current roster, and Bylaws.

Notes:

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**Disability Self-Identification Survey** Y      N

**Required Documentation:** A copy of the most recent self-identification survey, the dates of the last two surveys conducted and the projected date of the next survey.

Notes:

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**Dissemination of EEO/AA Policies and Procedures** Y      N

**Required Documentation:** Agency's EEO/AA Policy Statement must be posted in an area that is accessible to all employees in the agency. EEO/AA policies and procedures and contact information located on Intranet.

Notes:

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**W-2 Plan** Y      N

**Required Documentation:** Agency will explain the agency's W-2 plan and how it was implemented.

Notes:

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## RECRUITMENT CHECKLIST

<b>Job/Working Title:</b>		<b>Recruitment ID/Cert#:</b>				<b>Job Announcement Code:</b>			
<b>Hiring Manager (HM):</b>		<b>HR Specialist:</b>				<b>Recruitment Type:</b> <input type="checkbox"/> Transfer <input type="checkbox"/> Related Register <input type="checkbox"/> Open <input type="checkbox"/> Disabled Veteran <input type="checkbox"/> ER-MRS 27 <input type="checkbox"/> W-2 <b>Transfers:</b> <input type="checkbox"/> must take assessment <b># of Vacancies:</b> <b>Cert Rule:</b>			
<b>Date Request To Fill (RTF) Initiated:</b>		<b>Career Executive</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>Staffing Delegation</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>Classification Delegation</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>Pre-Cert Background Check</b> <input type="checkbox"/> Yes <input type="checkbox"/> No							
<b>Date Approved To Fill:</b>	<b>Date Certification Requested:</b>								
<b>Date Cert Due:</b>	<b>Date Cert Created:</b>								
<b>Date First Offer Due:</b>	<b>Date of First Offer:</b>								
<b>Task</b>		<b>HM</b>	<b>HR</b>	<b>AA</b>	<b>DPM</b>	<b>Timeframe/Requirements</b>		<b>Planned</b>	<b>Actual</b>
<b>Preliminary Activities</b>									
1. Hiring Manager submits Request to Fill and PD.		X				HR classifies position description and submits Request to Staff/Fill for approval			
2. Initial discussion of Selection Assessment Strategy and outline staffing plan.		X	X			HR researches previous recruitment to provide potential guidance to hiring manager. Also includes planning target dates for completion of process.			
3. Complete internal transfer process (if applicable).			X			If internal transfers will be considered prior to open recruitment, HR will post opportunity internally.			
4. Complete the Job Analysis, Selection Assessment Strategy and Job Expert Certificate (if applicable).		X	X			Hiring Manager and other SMEs involved in the assessment process (other than the hiring manager) will need to complete the Job Expert Certificate. HR and Hiring manager conduct job analysis which includes identifying minimally required and preferred from PD.			
5. Create assessment tools.		X	X						
6. Identify panel members (including interviewers).		X				Minimum two diverse panel members, best practice three.			
7. Finalize Selection Assessment Strategy & Job Analysis form.		X	X			HR will review assessment tools for approval.			
<b>Cert Request to Cert Created</b>						<b>30 calendar day limit from Date Cert Requested to Date Cert Created</b>			
8. Publish Announcement.			X			Minimum application period per policy = 7 calendar days.			
9. Conduct recruitment; place ads, social media, outreach.		X	X	X	X	HR informs AAO of open recruitment and strategies.			
10. Submit interview questions and benchmarks for approval.		X	X	X		AAO approves interview questions/benchmarks, if not previously approved.			
11. Email confirmation to panel members.			X			Email includes statement regarding confidentiality and fair and unbiased assessment practices.			
12. Prepare materials for panel, brief panel and set review date.			X			If scored, must have panel briefing.			
13. Enter and analyze assessment results, create register.			X						
14. Send Cert list to hiring manager.			X						
<b>Cert Created to Offer</b>						<b>30 calendar day limit from Date Cert Created to Date First Offer Due</b>			
15. Apply additional assessment(s), if applicable. (Repeat #13, enter and analyze)		X	X			Screen may be applied prior to or post Cert. If scored, must have panel briefing.			
16. Conduct interviews and check references.		X							
17. Prepare and receive required written hiring reason.		X	X			Hiring Manager submits a written reason for hiring decision (BAA specified options) and hiring justification (recommended) for the recommended hire to HR for approval.			
18. Conduct background check. Verify Selective Service registration, Veteran Status and Vet disability (if applicable).			X			For veteran verification review DD214 and federal disability rating document (if applicable). Enter completed background check into person profile.			
19. Make job offer and create appointment letter.		X	X			Hiring Manager makes offer of employment. Once offer is accepted HR will create and send appointment letter			
20. Enter hire into necessary system(s).			X			This includes the HM's hiring reason decision (BAA specified options).			
Comments:									



Department of XXXXXXXX  
Affirmative Action Advisory Committee Bylaws  
Adopted XXXXXXXXXX

Article I - Purpose

The purpose of the Department of XXXXXXXX's Affirmative Action Advisory Committee is as follows:

1. Advise the agency head on issues that affect agency policy, practices and services related to affirmative action and equal employment opportunities.
2. Communicate concerns and/or recommend positive solutions to ensure equal opportunities for all agency staff to the agency affirmative action officer.
3. Recommend, develop, and/or sponsor activities that value diversity, encourage personal growth and supports a positive climate for diversity.
4. Assist the agency Affirmative Action Officer and act as a liaison between department staff and the Secretary's office.
5. Assist in development of the Affirmative Action Plan. Recommend strategies to address identified goals and define and monitor measures to ensure effectiveness.
6. Communicate the Affirmative Action Plan, goals, and activities to department staff.
7. Annually evaluate and report the effectiveness of the Affirmative Action Plan and activities to the agency head.

Article II - Membership

Section 1. Representation

The committee will consist of the department affirmative action officer (a nonvoting member) and a broad spectrum of department representation, which may include the following:

- a) each division
- b) management
- c) minority group employees
- d) employees with disabilities
- e) non-management

Section 2. Number of Members

At least one and not more than three voting members will be appointed to the Committee by each Division Administrator. Maximum of [number of members] members on the committee.

Section 3. Staggered Terms of Appointment

It is the intent of the agency head that committee members will be appointed to two-year staggered terms. New voting members will be appointed to a two-year term by each Division Administrator in May of each year, or as needed to replace a vacancy.

Article III - Meeting Schedule

Committee meetings will be held at least nine times annually with times and location to be determined by the committee. Special meetings may be called by the chair with a minimum of two weeks notice.

Article IV - Distribution of Minutes

The minutes will be made available electronically to all committee members prior to the next scheduled meeting once approved. They will be made available to the agency staff.

Article V - Conduct of Meetings

Section 1. Quorum

In order to conduct a meeting, a quorum must be present. A quorum will be at least one-third of the total voting membership. Decisions for the committee may be made by a simple majority vote of the voting members present.

Section 2. Absences

Members shall notify the chair or vice-chair of the absences at least 24 hours prior to the scheduled meeting.

Article VI - Officers

Section 1. Titles and Terms

The officer positions shall consist of a Chair, a Vice Chair, and a Secretary. Officers will be elected at the June meeting for a one-year term.

#### Section 2. Responsibilities of Chair

1. Coordinate the agenda for committee meetings.
2. Call and conduct committee meetings.
3. Appoint members to subcommittees. At various times, the committee may request other department employees to serve on subcommittees to offer expertise and guidance.
4. Delegate various responsibilities to committee members but retain overall responsibility.
5. Notify the affirmative action officer of vacancies on the committee and recommend new appointments.
6. Maintain committee records.
7. Prepare and submit to the agency head, an annual summary of committee work.

#### Section 3. Responsibilities of Vice Chair

1. In the absence of the chair, conduct committee meetings and carry out the other duties of the chair.
2. Assist the chair as requested to prepare summaries or correspondence.
3. Assist with subcommittee activities.
4. Review the Plan of Work and update when necessary.
5. Assist in the evaluation of the committee Affirmative Action Plan.

#### Section 4. Responsibilities of Secretary/Co-Secretary

1. With the assistance of the Executive Committee, draft and maintain Committee records including the minutes of meetings, the annual summary of Committee work and the statement of agency status.
2. Distribute agenda and minutes to all Committee members.
3. Assist the Chair as requested to prepare documents, summaries and correspondence.
4. Maintain the records of all subcommittee work products.
5. Monitor member attendance status and performance of ongoing responsibilities, report any concerns to the Chair.

#### Section 5. Responsibilities of Committee Members

1. Attend all scheduled committee meetings. If unable to attend, notify committee chair or vice-chair as stated in Article V. When more than three unexcused absences occur in one year, evaluate time commitments and discuss with chair.
2. Provide service to the committee by participating in subcommittee activities. Be a responsible participant in committee discussions.

#### Section 6. Executive Committee

The executive committee, which includes the elected officers and at-large member, shall conduct business between regular meetings. In addition, the department Affirmative Action Officer will serve as a member of this leadership team.

#### Section 7. Fulfillment of Officer Responsibilities

A committee member who is elected to an officer position must be willing to fulfill this time commitment and attend meetings during their term. If any situation arises where this obligation cannot be fulfilled or if an officer misses more than two consecutive meetings, the officer should evaluate time commitments and discuss options with chair. If the chair resigns from office during his/her term, a special election will be held at the next scheduled meeting conducted by the vice-chairs.

### Article VII - Amendments

Section 1. Proposed amendments to these bylaws may be introduced by any committee member.

Section 2. Proposed amendments shall be in writing and submitted to the chair.

Section 3. Proposed amendments shall not be voted upon during the same meeting at which they are introduced.

Section 4. Proposed amendments shall require a majority vote of the full voting membership of the committee.

Section 5. Amendments shall become effective upon approval of the minutes.

### Article VIII - Ratification

Ratification of these bylaws shall be by a majority vote of the full voting membership of the committee.

### **Sample Disability Self-identification Survey**

Dear Agency Employee,

Welcome to the Disability Self-Identification Survey. This survey is your opportunity to self-identify as a person having a disability. Your participation in this survey is voluntary, and all information collected will be kept confidential.

Your participation in this survey will assist us as an agency in the following ways:

- Identify individuals who may need assistance in emergency situations;
- Identify individuals who may need accommodations to enable them to adequately undertake their job-related responsibilities and to enjoy equal employment opportunities; and
- Evaluate the state progress in providing equal opportunity for persons with disabilities.

Pursuant to s. 230.04 (9r)(b), Wis. Stats., all agencies have the responsibility to provide new and existing employees with the opportunity to self-identify as a person with a disability and to provide reasonable changes or accommodations within their work place. Therefore agencies are required to conduct a disability self-identification and needs assessment survey for all current employees every two years.

We encourage all employees to fill out the survey so that we can ensure the delivery of accommodation services to employees with disabilities and capture reliable data for program improvements in the future.

Employee's Name \_\_\_\_\_ Department/Division \_\_\_\_\_

1.	<b>Do you have a mental or physical impairment?</b>
	Yes
	No, survey complete, Thank you
2.	<b>Category: Disability Status (check one box)</b>
	A. Does your impairment make achievement unusually difficult or limit your capacity to work <b>or</b> do you have a record of such an impairment <b>or</b> are you perceived as having an impairment?
	B. Does your impairment result in substantial functional limitations in one or more of the following areas of major life activities: self-care; receptive and expressive language, learning, mobility, capacity for independent living, or economic self-sufficiency?
	and
	Will the disability continue indefinitely?
3.	<b>Do you currently need any accommodations to enable you to perform your job?</b>
	Yes
	No
4.	<b>Are you currently receiving reasonable accommodations to enable you to adequately undertake your job-related responsibilities?</b>
	Yes
	No
5.	<b>Will you currently need any special help in the event of an emergency?</b>
	Yes
	No
6.	<b>Do you have suggestions for improving our agency's accessibility to persons with disabilities?</b>

Please return the completed survey to \_\_\_\_\_.

Date

Gregory L. Gracz, Administrator  
Department of Administration  
Division of Personnel Management  
101 East Wilson Street, 4<sup>th</sup> Floor  
P.O. Box 7855  
Madison, Wisconsin 53707-7855

Re: Commitment letter that adheres to the tenets of the affirmative action planning standards for 2014-2017

Dear Mr. Gracz:

Consistent with Wisconsin's leadership and progress in achieving and assuring diversity in the work place, I am firmly committed to meeting the state laws and policies, as well as federal laws, for affirmative action and equal opportunity. The [Agency's Name] recognizes that equal employment opportunity is a legal, organizational, and economic necessity in order to maximize the quality and diversity of the state's workforce. This commitment is extended to all job applicants and employees in every type of position including unclassified, classified, project, limited term, volunteers, interns and work study personnel.

The [Agency's Name] has fewer than 30 permanent classified employees, and is not required to submit a full affirmative action plan. Being an integral part of the State of Wisconsin as an employer, we intend to apply affirmative action principles to all employment policies, procedures and programs, wherever it's appropriate, to ensure equal opportunity and freedom from discrimination. We are committed through our actions which include addressing all issues regarding affirmative action goals, conducting targeted recruitments for underutilized positions, ensuring managers and supervisors receive EEO/AA training on a biennial basis, having diverse interview panels where appropriate, participating in the W-2 program, creating SAAIP (internship) opportunities, monitoring for discriminatory practices, investigating discrimination complaints, applying alternative work pattern policy, informing employees regarding EEO/AA policies and procedures, and engaging in EEO/AA best practices.

We look forward to working with the Division of Personnel Management, Bureau of Affirmative Action to implement our policies and programs in efforts to correct the present effects of past discrimination and to build a motivated and skilled work force that is reflective of the population we serve.

Sincerely,

Agency Head Name  
Agency Head Title

cc: Name, Affirmative Action Officer

# State of Wisconsin

## Agency

address

# Affirmative Action Plan

For the period of

**July 1, 2014 – June 30, 2017**

*\* We have reviewed and firmly endorsed the content of this affirmative action plan. Being an integral part of the State of Wisconsin as an employer, we are committed to ensuring equal opportunity, freedom from discrimination, and affirmative action in compliance with state laws and policies as well as federal laws. This means that affirmative action/equal opportunity principles will be applied to all employment policies, procedures and programs, wherever it's appropriate. This is consistent with Wisconsin's leadership and progress in achieving and assuring diversity in the work place.*

### Appointing Authority

Full Name

\* Signature\*

Title

Email

### Affirmative Action Officer

Full Name

\* Signature\*

Phone Email

**Date of Submission to DPM/BAA**

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# **I. Agency EEO/AA Policy Statement**

( Example )

This is to affirm [Agency Name's] policy of providing Equal Opportunity to all employees and applicants for employment in accordance with all applicable Equal Employment Opportunity/Affirmative Action laws, directives and regulations of Federal, State and Local governing bodies or agencies thereof.

Our organization will not discriminate against or harass any employee or applicant for employment based on, but not limited to race, ethnicity, color, national origin, ancestry, gender, age, disability, religion, creed, marital status, sexual orientation, political affiliation, membership in the armed force. We will take Affirmative Action to ensure that all employment practices are free of such discrimination. Such employment practices include, but are not limited to, the following: hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, selection, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. We will provide reasonable accommodation to applicants and employees with disabilities. All employees are expected to perform their job responsibilities in a manner that supports equal employment opportunity for all.

I have appointed [Name] as EEO Professional to manage the Equal Employment Opportunity Program. This person's responsibilities will include monitoring all Equal Employment Opportunity activities and reporting the effectiveness of this Affirmative Action Program, as required by Federal, State and Local agencies. I will receive and review reports on the progress of the program. Any employee or applicant may inspect our Affirmative Action Program during normal business hours by contacting the EEO Professional.

If any employee or applicant for employment believes he or she has been treated in a way that violates this policy, they should contact either [EEO Professional's name] at [Work Address and Phone] or any other representative of management, including me. Responsible parties will investigate allegations of discrimination or harassment as confidentially and promptly as possible, and we will take appropriate action in response to these investigations.

# **II. Agency Self-Assessment Workforce Analysis**

## **Narrative Summary of Workforce Analysis (findings)**

Provide a summary of your findings based on:

- Your analysis of the Job Group and Underutilization tables;
- any other analysis tools you used;
- your review of the various areas of your agency;
- and your consultations with other agency employees and management.

### **III. AA Goals and Action Plans to Address Problem Areas**

**Description of Problem:** describe the underutilization and/or problem you intend to address. (*EXAMPLE*)

Difficulty recruiting racial/ethnic minorities, women, and people with disabilities to our agency. The percentage of minorities, women and people with disabilities, particularly among the millennial generation, is low with every recruitment.

**Description of Effort to Address Problem:** what you will do to address the problem, why you will use this particular effort, and what you expect the result to be. (*EXAMPLE*)

Conduct more in-person recruitment efforts, because studies show some people view such efforts as more authentic, and are thus more likely to respond positively. As a result of this strategy, we expect our recruitment numbers to increase.



**Action Steps/Responsible Staff or Office/Time Line/Evaluation** (EXAMPLE)

**Goal:** To increase recruitment of racial/ethnic minorities, women and people with disabilities.

<b>Action Steps</b>	<b>Responsible Staff/Office</b>	<b>Time Line</b>	<b>Evaluation: (How will you know if your efforts have been successful?)</b>
Develop a Recruitment Activity Plan (RAP) that adds new outreach methods to previous recruitments methods, such as: community organization visits; guest appearances on local media interview shows; etc.	HR specialist AAO	Jun 1 - 14, 2013	The new RAP is compared with the previous RAP and will list the new outreach methods.
Conduct recruitment efforts listed in the RAP. Track contacts made, list and complete any follow-up activities generated from contacts.	HR specialist Staff from hiring bureau AAO	Jun 15 - Jul 31, 2013	All the outreach efforts on the RAP should be checked off as completed. New contacts should appear in an agency networking/contact list and/or database.
Track the applicant flow charts on Wisc.Jobs, along with any personal antidotes that surface.	HR specialist AAO	Aug 15 - 28, 2013	A larger number of minorities, women and/or people with disabilities should be present.

## **IV. Internal Communication of AA Plan**

Describe how information about your AA Plan will be communicated throughout your agency.

### **Internal Monitoring of AA Plan**

Describe the procedure(s) to be used to monitor your agency's AA Plan.

The following list includes some sample monitoring activities. Evaluate one or more of the following within your agency:

- EEO/AA training or review at staff meetings
- Supervisors' EEO/AA performance
- Hiring managers participation in diversity recruitment
- A mentoring program or a buddy system for AA group members
- Participation in training programs to ensure equal access for all AA group members
- Exit interview programs
- Tracking and analysis of retention issues, e.g. upward mobility for AA group members
- Disability surveys
- The accessibility of programs, services and facilities to ensure access for persons with disabilities
- Participation in SAAIP or other internship programs
- Tracking and analysis of discrimination and harassment complaints and their resolutions
- Other activities: (Please elaborate)

## Affirmative Action Plan Checklist

Are the following areas included in your agency AA Plan?		
Required Area	Yes or No	What you still need to do
Agency Name		
Agency Head Signature		
AA Officer Signature		
Date Submitted to DPM/BAA		
Agency's Policy Statement		
Narrative Summary		
Description of Problems to be addressed		
Description of Efforts you will use to address the problems		
Goal(s) to be achieved		
Action Step(s)		
Time Line(s)		
Staff or Office Responsible		
Evaluation		
Internal Communication Plan		
Internal Monitoring Plan		